

*The Town of Orleans Board Meeting
August 8, 2019*

The Town of Orleans Town Board Held a regular scheduled board meeting on August 8, 2019 at the Fishers Landing Fire Hall in Fishers Landing.

Members Present: *Kevin Rarick, Peter Wilson, Gwen Kirkby, and Mary Ford-Waterman*

Members Absent: *Thomas Johnston*

Others Present: *Tammy Donnelly, Robert Black, Steve Dulmage, Manny Jerome, Mike Curtiss, Gerry & Jim Giambra, Iris Waterson, Bob Grapes, Pam McDowell, Katrina Rubino, Sandi Strong, Mike & Blanche Collello,*

Supervisor Rarick called meeting to order at 7:07pm

1. Approval of minutes- A motion was made by Gwen Kirkby, and seconded by Mary Ford-Waterman to accept July 2019 minutes as read.

Kevin Rarick, Aye

Peter Wilson, Aye

Gwen Kirkby, Aye

Mary Ford-Waterman, Aye

Thomas Johnston, Absent All in favor

2. Collins Landing Sewer East- Rob Campany updated public on Collins Landing Sewer East project

Town board did Full environmental review for Collins Landing East, (see below) Jim Burrows will take care of filing.

Town of Orleans
PO Box 103
LaFargeville, New York 13656
"This institution is an equal opportunity provider and employer"

Supervisor
Kevin Rarick 658-4411
Town Clerk
Tammy Donnelly 658-9950
Highway
Superintendent
Brian Kirkby 658-9920
Town Assessor
Dale Raymo 658-4309

Zoning Officer
Lee Shimel 658-2057

Town Council
Gwen Kirkby
Peter Wilson
Mary Ford Waterman
Thomas Johnston

RESOLUTION #20
**CREATION OF COLLINS LANDING SEWER WILL NOT HAVE A
SIGNIFICANT EFFECT ON THE ENVIRONMENT**

WHEREAS, the Town Board for the Town of Orleans, New York is interested in protecting the environment and creating a sewer district in the Collins Landing neighborhood in an effort to protect the environment; and

WHEREAS, the Town Board must evaluate such matters in light of the State Environmental Quality Review Act (SEQR) and the Regulations promulgated pursuant thereto; and

WHEREAS, the formation of such an improvement district would constitute such an "action"; and

WHEREAS, the Town Board of the Town of Orleans has determined that this action is classified as Type I pursuant to 617.4(b)(6) in that the project could disturb ≥ 10 acres; and

WHEREAS, the Town Board has sought to serve as lead agent for coordinated review and no other involved agency has objected to the same despite prior notice; and

WHEREAS, the Town Board in its determination as to whether the proposed legislation would have a significant impact on the environment, completed Part 1 and Part 2 of the Long Environmental Assessment Form, a copy of which are attached and made a part of this resolution.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Orleans, New York:

RESOLUTION-Sewer District

1. Based upon the examination and consideration of the Long Environmental Assessment Form and comparison of the proposed action and criteria set forth at 617.7, no significant impact on the environment is known by the formation of the Improvement District.
2. The Supervisor for the Town of Orleans is authorized to execute the Long Environmental Assessment Form to the effect that the Town Board is issuing a "negative declaration" under SEQR.
3. The Town Clerk is hereby directed to file and circulate Part 3 in accordance with the requirements for a Type I action of the Long Environmental Assessment Form.
4. A complete copy of the EAF including this negative declaration shall be maintained in the Town Clerk's office in a file that will be readily assessable to the Public. Further, the Town Clerk is hereby authorized to publish a notice to that effect in the Environmental Notice Bulletin. All subsequent notices regarding the undertaking of the project as set forth in this report shall state that a negative declaration has been issued.
5. This Resolution shall take effect immediately.

The foregoing Resolution was offered by Board Member, Mary Ford Waterman and seconded by Board Member, Gwen Kirkby, and upon roll call vote of the Board was duly adopted as follows:

Supervisor Kevin Rarick	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Thomas Johnston, Jr. <u>Absent</u>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Gwendolyn Kirkby	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Peter Wilson	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Mary Ford-Waterman	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

Dated: August 8, 2019


Tammy Donnelly, Town Clerk

Town board did Final Order Resolution for Collins Landing East as follows

Resolution # 21

Town of Orleans
PO Box 103
LaFargeville, New York 13656
"This institution is an equal opportunity provider and employer"

Supervisor
Kevin Rarick 658-4411
Town Clerk
Tammy Donnelly 658-9950
Highway
Superintendent
Brian Kirkby 658-9920
Town Assessor
Dale Raymo 658-4309

Zoning Officer
Lee Shimel 658-2057
Town Council
Gwen Kirkby
Peter Wilson
Mary Ford-Waterman
Thomas Johnston

RESOLUTION AND FINAL ORDER #21
OF THE TOWN BOARD OF THE TOWN OF ORLEANS
CREATING
TOWN OF ORLEANS COLLINS LANDING SEWER DISTRICT

At a regular meeting of the Town Board of the Town of Orleans, held at the Fishers Landing Fire Hall, Fishers Landing, New York, on August 8, 2019 at 7:00 p.m., there were:

Present:

Supervisor Kevin Rarick
Thomas Johnston, Jr. *-absent*
Gwendolyn Kirkby
Peter Wilson
Mary Ford-Waterman

Absent:

Thomas Johnston

WHEREAS, at a meeting of this Board held at the Town offices on May 20, 2019, an Order of this Board was duly adopted and entered in the minutes of the proceedings reciting in general terms the filing with the Town Clerk of the Town of Orleans of a Map, Plan and Report for the creation of the Town of Orleans Collins Landing Sewer District and specifying that a public hearing shall be held to hear all persons interested in the creation of the District at 7:00 p.m. on June 12, 2019; and

WHEREAS, a copy of the aforementioned Order of this Board was duly published in the official newspaper for the Town of Orleans and certified copies thereof were posted on the official sign board of the Town of ORLEANS as required by Article 12-A of the NY Town Law; and

WHEREAS, a public hearing was duly held pursuant to the aforesaid Order at the Town offices on 20558 Sunrise Avenue, LaFargeville, New York on June 12, 2019, at 7:00 p.m. and at the public hearing this Board heard all evidence presented in connection with the proposed creation of the Town of Orleans Collins Landing Sewer District a copy of the Map, Plan and Report are filed with the Town Clerk; and

WHEREAS, support for the District exists and all property and owners to benefit by the proposed District are included within the limits of the proposed District; and

WHEREAS, all of the property owners and all of the property located within the proposed District are benefited thereby; and

WHEREAS, a Resolution establishing the District, subject to Permissive Referendum was adopted on June 12, 2019 and which was duly published; and

WHEREAS, no petition protesting against the district formation was submitted to the Town Clerk of the Town of Orleans and the Clerk has adopted a Certificate acknowledging the same on July 17, 2019; and

WHEREAS, the permission of the State Comptroller is not required pursuant to Section 209-f of the Town Law.

NOW, THEREFORE, upon a motion duly made, and seconded, this Board hereby makes the following Resolution and Order:

1. **RESOLVED AND ORDERED** that the aforesaid recitations are incorporated herein as if fully set forth hereafter, and it is further
2. **RESOLVED AND ORDERED** that both the formation and creation of the Town of Orleans Collins Landing Sewer District as described in the Map, Plan and Report and providing of the service as described therein is hereby authorized, and it is further
3. **RESOLVED AND ORDERED** that the Town Clerk of the Town of Orleans shall cause a certified copy of this final Resolution and Order of the Town Board to be duly recorded in the Office of the Clerk of the County of Jefferson and the Town Clerk, and the State Department of Audit and Control in Albany, NY within ten (10) days after its adoption.

3. Highway Superintendent Rob Black- Rob gave report to town board. Rob received state bid quote from Western Star in the amount of \$205,056 for Truck, sander and plow. Beam Mack/Henderson bid was \$225,832.00

Resolution # 22

A motion was made by Peter Wilson and seconded by Gwen Kirkby to purchase Western Star Truck in the amount of \$130,216.00 for truck, Viking sander in the amount of \$20,524, and Dump Box \$54,315.88.

Kevin Rarick, Aye

Peter Wilson, Aye

Gwen Kirkby, Aye

Mary Ford-Waterman, Aye

Thomas Johnston, Absent All in favor

Beam Mack Sales Service, Inc.
6260 E Molloy Rd.
E Syracuse, NY 13057
ONONDAGA COUNTY HEAVY TRUCK CLASS 8 STATEWIDE
CONTRACT
8996

MACK GRANITE 64 FR PRICE SHEET ONONDAGA

CUSTOMER: *TOWN OF ORLEANS*

CHASSIS QUOTED: *2020 Mack Granite GR64FR Allison*

	CHASSIS BASE PRICE	CHASSIS OPTIONS	TOTAL
MACK GRANITE, 2020 Model Year	\$166,033.00		
DISCOUNT FROM LIST	\$46,489.24		
CHASSIS PRICE less DISCOUNT	\$119,543.76		
OPTIONS LIST PRICE TSP		\$36,456.00	
OPTIONS DISCOUNT FROM LIST PRICE		\$10,936.80	
OPTION PRICE less DISCOUNT		\$25,519.20	
CHASSIS PRICE WITH CONTRACT OPTIONS AND DISCOUNT - Net Contract Items: 7 years 250,000 mile Engine plan 2 and EATS			\$145,062.96
TOTAL WITH NON CONTRACT OPTIONS =			\$5,473.00
LESS MUNICIPAL DISCOUNT			\$150,535.96
TOTAL PRICE FOR CHASSIS WITH ALL OPTIONS DELIVERED			(\$7,366.96)
LIST PRICE FOR BODY & Equipment : TBA			\$143,169.00
CONTRACT DISCOUNT 30%			\$0.00
TOTAL PRICE FOR BODY & Equipment : TBA			\$0.00
			<hr/>
TOTAL PRICE FOR COMPLETE TRUCK:			\$143,169.00

Sincerely, John C. Soderquist June 17th 2019
July 17th added Extended Warranties

7/17/2019

Prepared for:
 Rob Black
 Town of Orleans
 P.O. Box 137
 Orleans, NY 13656
 Phone: 315-658-9920

Prepared by:
 Brian I. Arsoe
 TRACEY ROAD EQUIPMENT, INC.
 19508 GADY ROAD
 ADAMS CENTER, NY 13605
 Phone: 315-788-0200

Q U O T A T I O N

4700 SET-FORWARD FRONT AXLE CHASSIS
 SET FORWARD AXLE - TRUCK
 DETROIT DD13 12.8L 450 HP @ 1625 RPM, 1900 GOV
 RPM, 1650 LB/FT @ 975 RPM
 ALLISON 4500 RDS AUTOMATIC TRANSMISSION WITH
 PTO PROVISION
 RT-46-160 46,000# R-SERIES TANDEM REAR AXLE
 TUFTRAC 46,000# REAR SPRING SUSPENSION
 DETROIT DA-F-20.0-5 20,000# FL 1 71.0 KPI/3.74 DROP
 SINGLE FRONT AXLE
 20,000# FLAT LEAF FRONT SUSPENSION
 110 INCH BBC STEEL CONVENTIONAL CAB
 5625MM (221 INCH) WHEELBASE
 1/2X3.64X11-7/8 INCH STEEL FRAME
 (12.7MMX301.6MM/0.5X11.88 INCH) 120KSI
 1600MM (63 INCH) REAR FRAME OVERHANG
 PARTIAL INNER FRAME REINFORCEMENT AT FRONT
 SUSPENSION

	TOTAL # OF UNITS (1)	PER UNIT	TOTAL
VEHICLE PRICE		\$ 123,778	\$ 123,778
EXTENDED WARRANTY <i>Engine Warranty 3yr/30000mi</i>		\$ 6,438	\$ 6,438
DEALER INSTALLED OPTIONS		\$ 0	\$ 0
CUSTOMER PRICE BEFORE TAX		\$ 130,216	\$ 130,216
TAXES AND FEES			
TAXES AND FEES		\$ 0	\$ 0
OTHER CHARGES		\$ 0	\$ 0
TRADE-IN			
TRADE-IN ALLOWANCE		\$ (0)	\$ (0)
BALANCE DUE	(LOCAL CURRENCY)	\$ 130,216	\$ 130,216

COMMENTS:
 Projected delivery on ___ / ___ / ___ provided the order is received before ___ / ___ / ___.

APPROVAL:
 Please indicate your acceptance of this quotation by signing below:
 Customer: X _____ Date: ___ / ___ / ___



See your local dealer for a competitive quote from Daimler Truck Financial, or contact us at information@dtrfin.com.
 Daimler Truck Financial offers a variety of finance, lease and insurance solutions to fit your business needs. For more information about our products and services, visit our website at www.daimler-truckfinancial.com.





Cives Corporation, dba
 Viking Cives (USA)
 14331 Mill Street
 Harrisville, NY 13648
 Phone: (315) 543-2321
 Fax: (315) 543-2366
 www.vikingcives.com

QUOTATION

Quote ID: 393-A

Page 2 of 3

ONONDAGA 2018
 Catalog

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
1	BEAU-ROC BODY ON110XX - BEAU-ROC DL 14 ft. Body, 48" sides, 54" door, Front Telescopic CS-130-5-3 cyl., 35T mtg. kit, Side Ladder, 1/2 cabshield, Air Tailgate, All Hardox 450 Construction	\$18,200.00	\$18,200.00
1	ROLL-RITE ELECTRIC TARP SYSTEM ON71100F - ROLL-RITE 6400 Aluminum Tarp System, external mount 4-spring pivot set, 92" tarp spool w/housing and TarpMaster gear motor, standard tarp bow set, standard tension bow set	\$3,144.00	\$3,144.00
1	ON11507 - 8120 Premium Mesh Tarp, 22'	\$265.00	\$265.00
	ACCESSORIES		
2	S89310F - LED Stop/Tail/Turn Lights, 6" oval - back of body (pair)	\$272.00	\$544.00
2	S89309F - LED Back Up Lights, 6" oval - back of body (pair)	\$169.00	\$338.00
3	S70388F - LED Strobe Amber Flashing Lights - back of body (pair)	\$460.00	\$1,380.00
2	S70100F - Wing or Auxiliary Light (Truck Lite)	\$49.00	\$98.00
1	S7000XF - Plow Lights LED HEATED (Truck Lite)	\$936.00	\$936.00
1	S70360F - 7 Way Trailer Plug	\$168.00	\$168.00
1	S70500 - Dump Body Installation Hardware Kit - Contractor Style & ELP	\$422.00	\$422.00
1	S70306F - Electric Vibrator for Dump Body	\$1,112.00	\$1,112.00
	S79201F - FACTORY INSTALL -		
1	S79100F - Factory Install - Plow Lights	\$442.00	\$442.00
1	S79110F - Factory Install - Wing Lights or Driving Lights or TT Light Stanchion	\$295.00	\$295.00
1	S79160F - Factory Install - Flow Control (piped to rear of cab)	\$295.00	\$295.00
1	S79200F - Factory Install - Dump Body - Contractor Style & ELP	\$4,406.00	\$4,406.00
1	S79310F - Factory Install - Tarp System, semi-automatic or electric	\$1,873.00	\$1,873.00
1	S79010F - Factory Install - Full Mount	\$11,746.00	\$11,746.00
	Quote Total:		\$79,641.00
	Discount:		-\$25,485.12
	Total Cost For Equipment:		\$54,155.88
	Charges		\$160.00
	Total Due		\$54,315.88

Delivery to Region 2

The following options may be added:

QUANTITY	DESCRIPTION	PRICE EACH	AMOUNT
1	Option 1 - Rexroth Load Sense Hydraulic (On Demand) System I.L.O. Gear Pump Setup	ADD NET:	\$2,199.00
1	Option 2 - Galion 550U Body with Underbody Scissor Hoist, 3/16" Hardox 450 Floor	ADD NET:	\$3,367.00
1	Option 3 - 14ft SSV-HC Smith Stainless Steel Sander with light bar Installed on frame for summer removal	ADD NET:	\$20,524.00



HENDERSON

PRODUCTS, INC.
22686 FISHER ROAD
WATERTOWN, NY 13601
PHONE: 315-785-0994
FAX: 315-785-0146

CUSTOMER QUOTE

Page 5
Quote #126641
Rev #37

Front PLOW Rev Q-Coup Upq: Not Required
Wing Toe Q-Coup Upq: (2PR) Wing Toe Q-Coupler (SW)
Wing Heel Q-Coup Upq: Not Required
Spinner Q-Coup Upq: (2PR) Spinner Q-Coupler (18)
Auger Q-Coupler Upq: (1PR) Auger Q-Coupler
Prewet Q-Coupler Upq: Not Required
Anti Ice Coupler Upq: Not Required

Hydraulics Notes:

Rexroth front mounted Piston Pump, C8520 spreader controller, Dell air controls.

IDC Paint Location: IDC-NY

Body Paint Type: Wet Paint

Wet Paint (Body): Special Wet Paint (Enter Quote Below)

Wet Paint Asphalt Lip: Wet Paint Asphalt Lip (NY)

Wet Paint Underside: Wet Paint Underside of Body (NY)

Paint Code & Color (from color charts): Orange

Single Package: \$57,601.00

Package(s) : 1

Total: \$57,601.00

Signed:

Date:

Quote notes:



Iris Waterson thanked Highway Superintendent Rob Black for the upkeep on the Boat Ramp Road boat ramp.

4. Lee Shimel update- Lee gave report to town board.

5. Update Steve Dulmage- Not a lot going on. LA Sewer – ordered vac pits. Clayton project complete, TI Park- finished up work on project.

6. Attorney Burrows on OYA update – Jim updated town board. Town board adopted following resolution on decommissioning bond.

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Town Council
Gwen Kirkby
Peter Wilson
Mary Ford Waterman
Thomas Johnston

RESOLUTION #123
DECOMMISSIONING BOND

WHEREAS, the Planning Board for the Town of Orleans, New York has considered the application for a Special Use Permit and Site Plan Approval under the Town of Orleans Zoning Ordinance and the newly adopted Solar Energy Law as submitted by OYA Solar NY, LP OYA in connection with a (20) MW Solar Energy Project (the "Project"); and

WHEREAS, the approval was granted for the Project conditioned upon an acceptable Decommissioning Plan and Decommissioning Bond providing appropriate security for the life of the Project; and

WHEREAS, the Applicant has proposed to adhere to Decommission tasks and estimated costs that NYS Energy Research and Development Authority (NYSERDA) provide as guidance in their Decommissioning Solar Panels System Fact Sheet; and

WHEREAS, OYA has proposed Decommission Bonds #9324758; 9324759; 9324760; and 9324761, each covering a 5.0 MW ground mount tracker base solar project and each in the amount of \$247,250, collectively intending to cover the Project for a twenty (20) year term; and

WHEREAS, the Town Board has expressed a desire to extend the term of each Decommissioning Bond beyond twenty (20) years and for the reasonable life of the underlying Project;; and

WHEREAS, the Applicant has agreed to the same as follows.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Orleans,
NY:

RESOLUTION- Decommissioning Bond

1. On each of the 5 MW Projects listed herein, and collectively known as to the Project, and prior to receiving a Building permit, the Applicant shall provide financial security equal to the estimated cost of decommissioning the Project (the "Decommissioning Security") in a form acceptable to the Town. The Town shall have the right to employ the Decommissioning Security to carry out decommissioning if the Applicant fails to do so as required by the permit. The Decommissioning Security shall be: \$247,250 for the OYA Blanchard Road II, LLC Project, \$247,250, for the OYA Great Lakes Seaway, LLC Project; \$247,250, for the OYA Blanchard Road, LLC Project; and \$247,250 for the OYA NYS Route 12 Project. A Decommissioning Security shall not expire for at least one (1) year after the end of the term for which it is provided. Town shall notify the Applicant and/or its successor and /or assignee writing at least one year before the end of the term for which the Decommissioning Security is provided restating the terms of this agreement. The Decommissioning Security shall not be allowed to lapse during the life of any of the 5 MW projects listed herein. OYA, its successors or assignee shall provide replacement Decommissioning Security as necessary to meet this requirement and upon the failure to do so, by no later than six (6) months prior to the expiration of the Decommissioning Security shall be a breach of this permit immediately entitling the Town to use the Decommissioning Security without further proceedings.

2. Each respective Decommissioning Bonds addressed and attached hereto are incorporated herein and shall be an express condition of this approval.

3. The Supervisor for the Town of Orleans, Town Clerk for the Town of Orleans, the Zoning Enforcement for the Town of Orleans and Town Attorneys and all other Town officers, agents of representations shall take all steps necessary to bring full force and effect to this approval.

4. This Resolution shall take effect immediately.

The foregoing Resolution was offered by Board Member, Peter Wilson, and seconded by Board Member, Mary Ford Waterman, and upon roll call vote of the Board was duly adopted as follows:

Supervisor Kevin Rarick	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Thomas Johnston <u>Absent</u>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Gwendolyn Kirkby	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Peter Wilson	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Mary Ford-Waterman	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

Dated: August 8, 2019


Tammy Donnelly, Town Clerk

7. Orleans four Corners Cemetery- The cemetery board met and would like to change grave opening and closing charges from \$350 to \$400 and after 4:00PM arrival from \$75.00 to \$100.00. They also would like to remove vault storage from the schedule of charges. A motion was made by Mary Ford-Waterman and seconded by Peter Wilson to approve the charges as follows.

Orleans Cemetery
Schedule of Charges

Grave Opening and Closing	<u>\$ 400</u>
Cremated Remains	<u>\$ 200</u>
Additional: Sunday and Holiday	<u>\$ 150</u>
(New Years Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving, Christmas)	
After 4:00 PM arrival	<u>\$ 100</u>
Disinterment	<u>\$ 550</u>
Disinterment for cremations	<u>\$ 300</u>
Re-interment	<u>\$ 350</u>
Foundation Installation	
Per square inch	<u>\$.50</u>
Minimum charge	<u>\$ 100</u>
Plot Price includes corner stone	<u>\$ 400</u>

Call:

Tammy Donnelly, Town Clerk

(315) 658-9950

Amended on August 8, 2019

8. National Grid- The town board agreed to replace all street lighting to LED in all of the lighting districts in the town. There is no cost to the town to switch over. Supervisor Rarick will get ahold of National Grid.

9. Bond Council for Town of Orleans – A motion was made by Peter Wilson and seconded by Gwen Kirkby to accept Conboy, McKay, Bachman, & Kendall as town bond council see quotes below.

PHILIP A. MAPHEY (1937-1997)
DENNIS G. WHELPLEY (1956-2017)
STEPHEN W. GIBBO (RETIRED)

LAWRENCE D. HASSELER
DAVID B. GEWRTSEN
PETER L. WALTON
GERALD J. DUCHARME **
SCOTT B. GOLDBERG
VICTORIA HASSELER COLLINS*
JAMES A. BURKOWSKI *
MATTHEW J. PORTER

MIRIAM S. KEMNAT
IAN W. GILBERT
TRISTEN J. DURAND

THOMAS R. ADAMS
OF COUNSEL

ALSO ADMITTED IN:
-- MASSACHUSETTS
- VERMONT
- CONNECTICUT



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WATERTOWN, NY 13601

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(315) 788-3463

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conboy@cmbk.com

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www.cmbk.com

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CANTON, NY 13617

TELEPHONE
(315) 386-8544
FACSIMILE
(315) 379-0126

307 STATE STREET
CARTHAGE, NY 13619

TELEPHONE
(315) 493-0030
FACSIMILE
(315) 493-7549

CONBOY, MCKAY, BACHMAN & KENDALL, LLP

Serving Northern New York Since 1876

Watertown Office
May 8, 2019

Town Board of the Town of Orleans
c/o Hon. Kevin Rarick, Town Supervisor
PO Box 103
LaFargeville, New York 13656

Re: Proposal to Provide Bond Counsel Services

To the Members of the Town Board:

Conboy, McKay, Bachman & Kendall, LLP is pleased to submit this proposal to provide general obligation bond counsel services to the Town of Orleans, acting as co-bond counsel with Harris Beach PLLC. This letter will set forth a summary of the services which our co-bond counsel team would expect to provide and an estimate of the proposed fees that we would charge to the Town for such services.

Experience

Harris Beach PLLC is a nationally recognized "Red Book" bond counsel firm. They serve as bond counsel to municipalities, school districts, fire districts and state and local agencies throughout New York State. Their Public Finance Department has experience with all types of general obligation bond financings and has worked with most of the underwriters and fiscal advisors who do business with New York State municipalities and school districts.

Conboy, McKay, Bachman & Kendall, LLP is also "Red Book" recognized. We have acted as bond counsel for several municipalities and local school districts. I will be directly coordinating with Harris Beach PLLC to provide the bond services.

Services

As co-bond counsel to the Town, Harris Beach and PLLC Conboy, McKay, Bachman & Kendall, LLP (hereinafter "co-bond counsel") would act as a recognized independent counsel with respect to the authorization of the obligations being issued, and undertake all legal services associated with that responsibility. In particular, co-bond counsel would draft or review all resolutions to be adopted by the Town Board to authorize the bond and/or notes to be issued, and all associated legal notices and certificates. Co-bond counsel would work closely with the Town in structuring the financing, provide counsel regarding municipal finance questions raised in connection with a project and advise the Town as to alternatives available under any particular scenario.

For each bond anticipation note issue (other than a short-term loan from the Environmental Facilities Corporation (the "EFC")), co-bond counsel would prepare or review, as appropriate, the Notice of Sale, if any, for the financing and if an Official Statement is published for such transaction, co-bond counsel would assist in the preparation of such

document by reviewing those sections describing the notes, the project being financed, and the legality and tax exempt status of the notes. For the closing on the notes, co-bond counsel would prepare all of the necessary documentation, including the certificate of determination or authorizing resolution, as appropriate, the note, the arbitrage and tax certificates, the material events disclosure agreement, if required, and all other certificates and documents customarily provided in this type of transaction. Co-bond counsel would also file the necessary information return with the Internal Revenue Service. Finally, co-bond counsel would render their approving opinions regarding the validity, enforceability and tax exempt status of the notes.

For each bond anticipation note or bond financing undertaking through the EFC, co-bond counsel will review and comment on all of the EFC loan documents, participate in conference calls with EFC personnel, prepare all additional documents that may be necessary and will arrange for delivery of the bonds or BANS, as applicable, to EFC, or its designee. If applicable, co-bond counsel will complete or review, as appropriate, the tax questionnaire provided by EFC for the financing and will address any tax issues that may be posed by EFC and its counsel. Co-bond counsel will also calculate any minimum required annual payments to be made on a short term financing prior to the closing of a long term financing.

For each serial bond or statutory installment bond transaction (other than through the United States Department of Agriculture, Office of Rural Development ("RD")), co-bond counsel expect to be primarily responsible for the preparation of the notice of sale for the bond issue. Co-bond counsel would also assist the Town in the preparation of any official statement by reviewing those sections of the document pertaining to the bond issue, the projects being financed, and the legality and tax exempt status of the bonds. For the closing on the bond issue, co-bond counsel would prepare all the documentation customarily entered into for this type of transaction, including the certificate of determination; the form of bond, the tax and arbitrage certificates, the continuing disclosure agreement, if required, and all other certificates and documents to be entered into in connection with the financing. If the bond issue is to be insured by a municipal bond issuance policy, co-bond counsel would review the documents provided by the bond insurer, including the policy, closing certificates and legal opinion. Co-bond counsel would also conduct the closing on the bonds and arrange for the delivery of the bonds to the purchaser (or if the bonds are in book entry form, to the depository for the bonds) and file the necessary information return with the Internal Revenue Service. Finally, co-bond counsel would render their approving bond counsel opinions regarding the validity, enforceability and tax exempt status of the bonds.

In connection with any bond financing undertaken through RD, in addition to the services described above with respect to statutory installment bonds, co-bond counsel would prepare all of the other necessary closing documents required in accordance with RD's policies and requirements.

Please note that in connection with each bond and note transaction, co-bond counsel does not anticipate being primarily responsible for the preparation of either the official statement (or other disclosure document) or any debt statement prepared and filed in accordance with New York Law. It is co-bond counsel's assumption that these documents will be prepared either by the Town or by its fiscal advisor, if any, as is customarily the case. Co-bond counsel will, however, review these documents and comment, as necessary, to ensure that the Town has complied with all applicable disclosure and filing requirements in connection with the bond issue.

Fees and Charges

Set forth below is the proposed schedule for fees that co-bond counsel would charge the Town for bond counsel services.

Bond Anticipation Notes: For each original issue bond anticipation note issue, co-bond counsel would charge a fee not to exceed \$750 plus \$.40 per thousand dollars of note issued. For each renewal bond anticipation note issue, co-bond counsel would charge a fee not to exceed \$600 plus \$.40 per thousand dollars of note issued, plus out-of-pocket disbursements.

For EFC Short Term Loan: For the short term financing through EFC, co-bond counsel would charge a fee of \$2,800, plus disbursements.

RD Loan: For a long-term bond issue through RD, co-bond counsel estimates a fee not to exceed \$2,800.

Serial Bonds (competitive bid): For a serial bond issue, co-bond counsel estimates a fee not to exceed \$3,500 plus \$.80 per thousand dollars of bonds issued, plus hourly fees as described below and out-of-pocket disbursements, subject to a negotiated maximum fee, if desired by the Town.

Statutory Installment Bond: For a statutory installment bond of \$5 million or less, co-bond counsel would charge a fee not to exceed \$1,500 plus \$0.80 per thousand dollars of bonds issued plus disbursements, subject to a negotiated maximum fee, if desired by the Town.

For EFC Long Term Loan: For the long term bond issue through EFC (including any hardship assistance grants), co-bond counsel would charge a fee of \$5,000 plus \$0.80 per thousand dollars of bonds issued, plus disbursements, subject to a negotiated maximum fee, if desired by the Town.

Refunding Bonds: For each refunding bond issue co-bond counsel's fee will be as specifically agreed upon with the Town at the time of the refunding.

Bond Resolutions: Fees for preparation of bond resolutions will be \$500 for preparation of each resolution, provided that with the Town's approval, additional fees may be charged in the event that a particular resolution involves unusual research and complexity.

Hourly Fees: In addition to the foregoing fees, a fee of \$250 per hour for partners and \$165 per hour for associates and \$135 for Paralegals will be charged for time spent in meetings with Town officials in the Town or elsewhere, for attendance at rating agency sessions, for working group sessions with the Town's financial advisor and its own finance team and for working on drafting and reviewing disclosure materials and any documentation which is required in connection with the negotiation by private sale of any Town obligations.

For matters apart from the foregoing, including research, analysis and rendering of advice to the Town and attendance at meetings in connection with development proposals, new financing alternatives for the Town and review of proposals submitted to the Town relating to other than routine financings, co-Bond Counsel will charge the above hourly rates, subject to a maximum agreed upon fee for each matter.

Disbursements. Disbursements for direct out-of-pocket costs, such as telephone calls, photocopying and facsimile charges, postage and courier charges, and travel costs, if any, will

be billed to the Town in addition to the fees for services rendered. The above fee quotes are based upon co-bond counsel's understanding of the scope of services customarily provided on financing transactions. In the event that there is a change in circumstances which warrants significantly greater bond counsel services than which are normally required in connection with the types of transactions outlined above, co-bond counsel will contact you to arrange for an appropriate adjustment to the fee, in an amount to be agreed upon with the Town at that time.

The above fee quotes are based upon co-bond counsel's understanding of the projects being financed and the Town's current needs. In the event that there is a change in circumstances which warrants significantly greater bond counsel services than which are normally required in connection with the types of transactions outlined above, co-bond counsel would contact you to arrange for an appropriate adjustment in the fee, in an amount to be agreed upon with the Town.

Billing and Collection Information

For services not associated with a specific financing transaction, such as review of proposals submitted to the Town relating to project development proposals and proposals submitted to the Town relating to other than routine financings, co-bond counsel will bill the Town periodically as such specific services are rendered. For services performed in connection with the issuance of bonds or notes, our fees are normally billed after the closing of each transaction. Co-bond counsel will not submit an invoice for services until that time, unless there is a substantial delay in completing the financing or the financing is not completed.

Termination of Engagement

Either the Town or Harris Beach PLLC and Conboy, McKay, Bachman & Kendall, LLP may terminate this Engagement at any time for any reason by written notice, subject, on our part, to the rules of professional responsibility. No such termination, however, will relieve the Town of the obligation to pay the legal fees owed to Harris Beach PLLC and Conboy, McKay, Bachman & Kendall, LLP for services performed and other charges owed to co-bond counsel through the date of termination. After the completion of our services on the Town's behalf, changes may occur in applicable laws or regulations that could have an impact upon the Town's future rights and liabilities. Unless the Town engages Harris Beach PLLC and Conboy, McKay, Bachman & Kendall, LLP after completion of the Engagement to provide additional advice on issues arising from the Engagement or related matters, there shall be no continuing obligation to advise the Town with respect to future legal developments.

Conclusion of Representation; Disposition of Client Documents

Following termination of this Engagement, any otherwise nonpublic information the Town has supplied to Harris Beach PLLC and Conboy, McKay, Bachman & Kendall, LLP that is retained will be kept confidential in accordance with applicable rules of professional conduct. At the Town's request, papers and property will be returned promptly after receipt of payment for any outstanding fees and costs. Harris Beach PLLC and Conboy, McKay, Bachman & Kendall, LLP files pertaining to the matters worked on for the Town will be retained by each respective firm. These firm files include, for example, firm administrative records; internal lawyers' work product such as drafts, notes, internal memoranda; and legal and factual research, including investigative reports, prepared by or for the internal use of lawyers. Co-bond counsel will retain all remaining documents for a certain period of time, but reserve the right for various reasons including the minimization of unnecessary storage

expenses, to destroy or otherwise dispose of them within a reasonable time after the termination of the engagement.

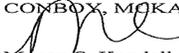
Client Responsibilities

The Town agrees to cooperate fully with Harris Beach PLLC and Conboy, McKay, Bachman & Kendall, LLP and to provide promptly all information known or available relevant to our co-bond counsel representation. The Town also agrees to pay in a timely manner co-bond counsel statements for services and expenses as provided above.

Harris Beach and Conboy, McKay, Bachman & Kendall, LLP look forward to working with you and appreciate the opportunity to represent the Town as co-bond counsel. If you find the terms of this Engagement acceptable, please have the enclosed copy of this letter signed on the signature line provided below and return it to my attention. Please call me with any questions regarding the foregoing.

Very truly yours,

CONBOY, MCKAY, BACHMAN & KENDALL, LLP


Megan S. Kendall

Agreed to and accepted this
8 day of ~~May~~ ^{Aug}, 2019.

TOWN OF ORLEANS

By: 
Name: Hon. Kevin Rarick
Title: Town Supervisor

BARCLAY DAMON^{LLP}

Joseph W. Russell, Esq.
Partner
jrussell@barclaydamon.com

May 9, 2019

Kevin Rarick, Supervisor
Town of Orleans
PO Box 103
LaFargeville, New York 13656

Re: Town of Orleans Route 12 Water Project

Dear Supervisor Rarick:

This will confirm that this office has agreed to offer bond counsel services to the Town of Orleans regarding its Town of Orleans Route 12 Water Project. It is our understanding that our services in this regard shall include work with your funding sources that are financial assistance to the project. It is our further understanding that the maximum amount to be expended on the project is currently estimated not to exceed \$16,000,000.

This office is Red Book listed as bond counsel and has acted as bond counsel for many municipalities in the Jefferson, Lewis, Oswego and St. Lawrence County areas. This office has also worked in the past with the Rural Development Office (formerly Farmers Home Administration), the New York State Environmental Facilities Corporation, as well as other funding sources. As such, the firm is familiar with the requirements of these organizations and others and is capable therefore, of providing the services required.

As bond counsel, this firm would render services to the Town of Orleans for all required activities through final financing, including, but not limited to the following:

- 1) Preparation of all bonding or refunding bond resolutions.
- 2) Preparation of preliminary opinion.
- 3) Preparation of preliminary bond form.
- 4) Preparation of details resolution.
- 5) Preparation of any interim borrowings, including bond anticipation notes and associated documents.
- 6) Preparation of final opinion.

- 7) Preparation of final bond form.
- 8) Preparation of final details resolution.
- 9) Coordination of work with fiscal advisors, if any.
- 10) Attendance at closing on bonds, if required.

This firm will provide such services on the following items:

- a) Bond Anticipation Note/Short Term Financing - not to exceed \$3,000 each.
- b) Bonding work required for each permanent financing not to exceed \$ 10,000 each.

Payment will be due for interim borrowings at the time such interim borrowings are placed. It is anticipated that the fees for these services will not exceed \$10,000.00. Payment for the permanent financing shall be upon completion of the permanent financing, provided however, that if such permanent financing is not ultimately pursued, this firm shall be paid for services rendered at an hourly rate of \$200.00 per hour for attorney's fees and \$85.00 per hour for paralegal fees for services rendered through the time of termination of the project. In the event of a fee dispute, you may have the right to seek arbitration; we will provide you with the necessary information regarding arbitration in the event of fee dispute, or upon your request.

If these terms are agreeable to the Town, please so indicate by countersigning and returning one copy of this letter where indicated.

Very truly yours,

BARCLAY DAMON LLP

Joseph W. Russell

JWR:dec

Read and agreed to this
___ day of ___ 2019

TOWN OF ORLEANS

By: _____
Kevin Rarick, Supervisor

10. Other – Jim Burrows will put together solar law resolution for board to review at next month's meeting

11. Town Clerk report-

12. Bills were audited in the amount of \$1,217,690.09

A motion was made by Peter Wilson and seconded by Mary Ford-Waterman to adjourn meeting

Kevin Rarick, Aye

Peter Wilson, Aye

Gwen Kirkby, Aye

Mary Ford-Waterman, Aye

Thomas Johnston, Absent All in favor

Meeting adjourn at 8:45pm

Respectfully submitted

Tammy Donnelly

